

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANGELA VALENTINE,

Plaintiff,

v.

UNUM LIFE INSURANCE COMPANY OF
AMERICA; and CATHOLIC HEALTHCARE
WEST LONG TERM DISABILITY PLAN,

Defendants.

No. 12-00647 CW

CASE MANAGEMENT
ORDER

A case management conference is not required in this ERISA case. The Case Management Statement and Proposed Order filed by the parties are hereby adopted by the Court as the Case Management Order for the case, except as noted below.

The case is hereby referred to court connected mediation for alternative dispute resolution, to be held by August 31, 2012.

The parties do not intend to amend their pleadings. Initial disclosures shall be made by June 15, 2012.

Plaintiff may seek discovery informally from Defendant, which Defendant shall provide if the requests are not burdensome. If the parties cannot agree, the parties may file a joint discovery letter brief and the Court will refer discovery to a magistrate judge. Any discovery shall be completed by December 14, 2012. If Plaintiff wishes to supplement the Administrative Record, Plaintiff shall attempt to obtain a stipulation from Defendant to

1 do so. If the parties cannot agree on supplemental evidence,
2 Plaintiff may include a request to supplement the Administrative
3 Record in the brief on the motion for judgment, submitting the
4 proposed supplemental evidence with a declaration.

5 The case shall be resolved on cross-motions for judgment
6 pursuant to Rule 52 of the Federal Rules of Civil Procedure and
7 Kearney v. Standard Insurance, 175 F.3d 1084 (9th Cir. 1999). The
8 briefs shall address the scope of review and whether the Court's
9 review is limited to the Administrative Record or whether
10 supplemental evidence should be considered.

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12 Plaintiff shall file her motion for judgment in a single
13 brief of no greater than twenty-five pages on December 20, 2012.

14 Defendant shall file its opposition and cross-motion for
15 judgment in a single brief of no greater than twenty-five pages on
16 January 3, 2013.

17 Plaintiff shall file a reply and opposition to the cross-
18 motion of no greater than fifteen pages on January 10, 2013.

19 Defendant may file a reply to the cross-motion of no greater
20 than fifteen pages on January 17, 2013. The hearing will be held
21 on January 31, 2013 at 2:00 pm in Courtroom 2.

22
23 IT IS SO ORDERED.

24 Dated: 6/15/2012

25 
26 CLAUDIA WILKEN
27 United States District Judge
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